

REMARKS

Claims 1-44 remain pending in the application.

Allowed Claims 26-44

The Applicants thank the Examiner for the indication that claims 26-44 are allowed.

Claim 1 Objection

In the Office Action, claim 1 was objected to for a noted informality. Claim 1 is amended herein as the Examiner suggested. It is therefore respectfully requested that the objection be withdrawn.

Claims 1-5, 8-15, 17-22, 24 and 25 over Smock in view of O'Donovan

Claims 1-5, 8-15, 17-22, 24 and 25 were rejected under 35 USC 103(a) as allegedly being obvious over U.S. Pat. No. 6,377,668 to Smock et al. ("Smock") in view of U.S. Pat. No. 6,396,908 to O'Donovan et al. ("O'Donovan"); and claims 6, 7, 16 and 23 were rejected under 35 USC 103(a) as allegedly being obvious over Smock in view of O'Donovan, and further in view of U.S. Pat. No. 6,144,644 to Bajzath ("Bajzath"). The Applicants respectfully traverse the rejections.

In the Office Action, the Examiner agreed with arguments set forth in the previous amendment filed on August 10, 2004. In particular, the Examiner indicated that he 'agrees with the recited arguments since the combination of Smock and O'Donovan solely dealing with only two parties such as calling party and called-but-busy party, instead of three parties such as calling party, called-but-busy party and Internet user" The Examiner inferred that explicitly reciting the three specific points of access would render them patentable. (Office Action at 2-3).

Claims 1-25 are **ALL** amended herein to explicitly recite **THREE** specific users or points of access. In particular:

Claims 1-11 recite

- (1) a called-but-busy party;
- (2) an Internet user; and
- (3) a remote telephone user.

Claims 12-17 recite

- (1) a called-but-busy party;
- (2) an Internet user; and
- (3) a calling party.

Claim 18 recites

- (1) a called-but-busy party;
- (2) an Internet user; and
- (3) calling party.

Claims 19-24 recite

- (1) a called-but-busy party;
- (2) an Internet user; and
- (3) calling party.

Claim 25 recites

- (1) a called-but-busy party;
- (2) an Internet user; and
- (3) a calling party.

Thus, as the Examiner will appreciate, claims 1-25 ALL recite explicitly THREE users. It is believed that the Examiner would now agree that all pending claims are now allowable. If such is not the case, the Examiner is respectfully requested to telephone the undersigned to work out any remaining issues.

Accordingly, for at least all the above reasons, claims 1-25 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Conclusion

All objections and rejections having been addressed, it is respectfully submitted that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,



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